

Attorney Docket No. 1422-0001
Customer Number 36291

REMARKS/ARGUMENTS

1.) Claim Status

Claims 1-12, 14-30, 37, and 38 are pending in the application. Claims 13 and 31-36 have been canceled. The Applicant has amended claims 1-6, 8, 11, 16, 18, 19, 21-24, 26, 28, 29, and 37. Claim 38 has been added. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks.

2.) Claim Rejections – 35 U.S.C. § 103

In paragraph 5 of the Office Action, the Examiner rejected claims 1-30 and 32-37 under 35 U.S.C. § 103(a) as being unpatentable over Katsikas (US 2003/0191969) in view of Ryan (US 6,412,014). Of these claims, claims 13 and 31-36 have been canceled. The Applicant has amended the remaining claims to better distinguish the claimed invention from Katsikas and Ryan.

Katiskas teaches a methodology for identifying specific users, and allowing these users to identify themselves using an Authorized Senders List (ASL). (Abstract, lines 12-14; page 1, paragraph 9). Katiskas then rejects emails if the email address of the sender is not on the ASL. The Examiner cites Katiskas page 9, paragraph 100 for disclosing an ASL for an entire domain. The Applicant respectfully notes that this procedure still uses an ASL and can be easily spoofed. This procedure would not prevent the receipt of authorized and unwanted e-mail messages because spoofers can easily change a source e-mail address to an address on the ASL.

The Examiner stated at the top of page 4 of the Office Action that Ryan teaches a central e-mail server registry database for storing information regarding all e-mail servers and domains authorized to send e-mail messages over the Internet. (Col. 3, lines 51-56). However, the registry referred to by Ryan is the DNS registry of primary domain names. This is not the same as the e-mail server registry claimed by the Applicant, as discussed in more detail below.

Each e-mail received over the Internet includes a DNS name for the source e-mail server, a numeric IP address for the source e-mail server, and an associated

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source domain. In the claimed invention, the DNS name and IP address for the source e-mail server are combined to form a source e-mail server identity. The source e-mail server identity and the associated source domain are then registered with an e-mail server registry of all authorized server/domain combinations. When a receiving e-mail server receives an incoming e-mail message, the receiving e-mail server accesses the e-mail server registry to determine whether the combination of source e-mail server identity and associated source domain included in the incoming message is an authorized combination. If so, the incoming message is delivered. If not, delivery of the incoming message is denied.

Claim 1 has been amended as follows:

1. A system for denying or allowing delivery of an incoming electronic mail (e-mail) message from a source e-mail server, said incoming message indicating a source e-mail server identity and a source domain associated with the source e-mail server, said system comprising:

a central e-mail server registry database for storing information regarding combinations of e-mail server identities and associated domains that are authorized to send e-mail messages over the Internet, wherein each e-mail server identity in the registry includes both an e-mail server name as defined in the e-mail server's Domain Name Services (DNS) entry and an Internet Protocol (IP) address;

means for a receiving e-mail server to access information from the registry database to determine whether the combination of the source e-mail server identity and the associated source domain included in the incoming e-mail message is an authorized combination; and

means for allowing delivery of the incoming e-mail message if the combination included in the incoming e-mail message is an authorized combination, and denying delivery of the incoming e-mail message if the combination included in the incoming e-mail message is not an authorized combination.

Basis for the amendments to claim 1 is found in the originally filed specification on page 6, paragraph 18, lines 1-3; page 7, paragraph 19, lines 1-7; page 10, paragraph 26; page 10, paragraph 27, lines 1-5; page 11, paragraphs 29-31; and FIG. 1B.

It should be noted that it is the combination of the e-mail server identity (the server DNS name and IP address) and the associated source domain that must be properly registered in the registry for an incoming e-mail message to be delivered. This

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combination cannot be spoofed because the server identity must be properly registered, the source domain must be properly registered, and the server identity and source domain must be associated.

It should also be noted that the claimed invention is not using an authorized senders list defined by the receiver. The invention instead uses a sender registration process. Senders must register to be authorized to send e-mail messages over the Internet. This type of registration process is not taught or suggested by Katsikas.

It should be noted that in some of the Applicant's dependent claims, the receiver can specify additional criteria such as an industry code or a country code for filtering incoming e-mail messages. However these additional criteria are applied only if the incoming message first passes the tests regarding the server identity and the source domain.

Also, the registry in the claimed invention is not the DNS registry referred to by Ryan. In the claimed invention, the DNS name of a source server is paired with the numeric IP address of the source server to form a server identity. The server identity is further paired with an associated source domain to form an authorized combination. If the server identity is not properly registered, any e-mails originating from that server will not be delivered. Likewise, if the source domain is not properly registered, any e-mails originating from a server in that domain will not be delivered. Finally, if the source server identity is not associated with the source domain, any e-mails originating from that server will not be delivered.

The use of a sender registration process utilizing this combination to filter incoming e-mail messages is not taught by either Katsikas or Ryan. Thus, a *prima facie* case of obviousness has not been established as required by MPEP 2143. Therefore, the withdrawal of the § 103 rejection and the allowance of claim 1 and dependent claims 2-11 are respectfully requested.

Independent claim 12 is a method of claim performed in a receiving e-mail server. The method includes the steps of:

- receiving the incoming e-mail in a receiving e-mail server;
- accessing by the receiving e-mail server, information from a central registry database, said information including combinations of e-mail server identities and associated domains that are authorized to send e-mail

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messages over the Internet, wherein each e-mail server identity includes both an e-mail server name as defined in the e-mail server's Domain Name Services (DNS) entry and an Internet Protocol (IP) address;

determining whether the combination of the source e-mail server identity and the associated source domain included in the incoming e-mail message is an authorized combination;

allowing delivery of the incoming e-mail message if the combination included in the incoming e-mail message is an authorized combination; and

denying delivery of the incoming e-mail message if the combination included in the incoming e-mail message is not an authorized combination.

Thus, claim 12 recites features similar to claim 1, and the allowance of claim 12 and dependent claims 14-21 is respectfully requested for the reasons discussed above.

Remaining independent claims 22, 28, 37, and 38 also recite features similar to claim 1. Therefore the allowance of claims 22-30, 37, and 38 is respectfully requested.

In paragraph 6 of the Office Action, the Examiner rejected claims 5-9, 13, 24, 26, 32, and 34 under 35 U.S.C. § 103(a) as being unpatentable over Katsikas in view of Ryan and further in view of Northington et al. (US 6,128,602). However, the addition of Northington does not overcome the shortcomings of Katsikas and Ryan. Northington discloses the use of an industry identifying code (SIC or other) and country codes, but does not disclose or suggest a system or method that allows or denies delivery of an e-mail message based on the combination of factors recited in the Applicant's independent claims. Therefore, the withdrawal of the § 103 rejection and the allowance of claims 5-9, 13, 24, 26, 32, and 34 are respectfully requested.

3.) Prior Art Not Relied Upon

In paragraph 7 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicants' disclosure. However, the Applicant's reading of Gardos (US 6,880,007) has not revealed any teaching or suggestion of the claimed invention.

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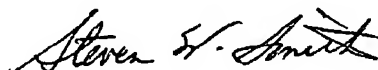
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4.) Conclusion

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-12, 14-30, 37, and 38.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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